



CANNON BUILDING
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STATE OF DELAWARE
DEPARTMENT OF STATE
DIVISION OF PROFESSIONAL REGULATION

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PUBLIC MEETING MINUTES:	Board of Geologists
MEETING DATE AND TIME:	Friday, May 10, 2013 at 10:00 a.m.
PLACE:	861 Silver Lake Boulevard, Dover, Delaware Conference Room B, Cannon Building
MINUTES APPROVED:	June 14, 2013

MEMBERS PRESENT

Scott Blaier, President, Professional Member
David Reinhold, Vice President, Professional Member
Douglas Rambo, Secretary, Professional Member
William "Sandy" Schenck, Professional Member
Maureene LaFate, Public Member
Amos Aiken, Public Member
Patricia Ennis, Public Member

DIVISION STAFF/DEPUTY ATTORNEY GENERAL

Amanda McAtee, Administrative Specialist II
Kevin Maloney, Deputy Attorney General

MEMBERS ABSENT

None

PUBLIC PRESENT

None

CALL TO ORDER

Mr. Blaier called the meeting to order at 10:00 a.m.

REVIEW OF MINUTES

The Board reviewed the meeting minutes from the April 12, 2013 meeting. Mr. Aiken made a motion, seconded by Mr. Schenck, to approve the minutes. The motion carried unanimously.

Mr. Schenck made a motion, seconded by Mr. Blaier, to amend the agenda to add Timothy McHale under Re-Review of Audits as agenda item 3.1.9. The motion carried unanimously.

Mr. Rambo made a motion, seconded by Mr. Schenck, to amend the agenda to add Daniel Fisher under Re-Review of Audits as agenda item 3.1.10. The motion carried unanimously.

OLD BUSINESS

Re-Review of Audits

Gina Calderone
Douglas Newton
Michael Christopher
John VanWagenen
Timothy McHale
Daniel Fisher

Mr. Schenck made a motion, seconded by Mr. Aiken, to approve the audits of Gina Calderone, Douglas Newton, Michael Christopher, John VanWagenen, Timothy McHale, and Daniel Fisher

Michael Cody

Ms. McAtee stated that Mr. Cody did not respond to the first audit letter and after receiving no response from Mr. Cody the Board had forwarded him to the hearing officer. The hearing officer contacted him for a hearing and Mr. Cody sent in CE materials for review. Ms. McAtee brought those materials to the Board for review. After review of his audit materials, the Board determined that he was still short nine and a half CE hours. In addition, the Board had not received a completed CE log or evidence of Mr. Cody's geological seal. Mr. Schenck made a motion, seconded by Mr. Aiken, to refer Mr. Cody to the hearing officer for his deficient audit materials. The motion carried unanimously.

David Wilcots

Mr. Schenck stated that Mr. Wilcots was requested to send the Board proof of attendance of two conferences. He has now submitted a schedule and an invitation. In the letter that was drafted, the Board requested to review a name badge, a receipt for registration, or something that verified that he attended the conferences. Mr. Wilcots had not provided adequate proof of attendance of the two conferences he sought CE credit for. Mr. Schenck made a motion, seconded by Mr. Rambo, to refer Mr. Wilcots to the hearing officer for his deficient audit. The motion carried unanimously.

Bruce Middleman

Mr. Rambo stated that Mr. Middleman was originally short five CEs. Mr. Middleman responded to the audit deficiency letter with evidence that he attended another professional meeting that was worth 4.5 CEs. Mr. Rambo reviewed his additional submission and stated that he could only document four hours and ten minutes and Mr. Middleman was now an hour and twenty minutes short. Ms. Ennis made a motion, seconded by Mr. Aiken, to refer Mr. Middleman to the hearing officer for his deficient audit. The motion carried unanimously.

Ned Wehler

Ms. McAtee stated that Mr. Wehler sent a letter to the Board objecting to his selection for audit.
Mr. Blaier stated that Mr. Wehler was deficient in past audits and was consequently audited again.
Mr. Schenck read Rule 6.11:

6.11 Audit. Each biennium, the Division of Professional Regulation shall select from the list of potential renewal licensees a percentage, determined by the Board, which shall be selected by random method. The Board may also audit based on complaints or charges against an individual license, relative to compliance with continuing education requirements or based on a finding of past non-compliance during prior audits.

Mr. Schenck stated that the Board currently had pending legislation and when the Board reviewed their Rules and Regulations they should also revise Rule 6.3 and remove the word "random" since Rule 6.11 further explains the audit process. Mr. Blaier stated that his letter explained the geological content of the courses. Mr. Reinhold questioned if a written letter would be acceptable in proving geological content because in the past course descriptions or agendas were requested.

Mr. Maloney read for the Board Rules 6.6 and 6.7:

6.6 In his/her personal records, each licensee must keep proof of attendance for each activity for which the licensee is requesting credit. If the Board conducts an audit of a licensee's CE records, the Board will require the licensee to complete a CE log provided by the Board and submit the licensee's documentation of attendance to the CE event listed on the CE log. Failure to submit proof of attendance during an audit will result in loss of CE credit for that event.

6.7 Continuing education must be in a field related to Geology. Approval will be at the discretion of the Board. CEUs earned in excess of the required credits for the two- (2) year period may not be carried over to the next biennial period.

Mr. Schenck stated that there was no proof of attendance for the shell blue book training and there was no explanation of geological content. There was adequate documentation for the rest of his courses however the Shell training course was still deficient.

The Board requested that Ms. McAtee draft a letter to Mr. Wehler requesting that he provide proof of attendance verifying the hours he was claiming and documentation of the geological content of the Shell Training either in the form of an official course description or agenda for the Shell Blue Book Training.

Mr. Rambo made a motion, seconded by Mr. Aiken, for Ms. McAtee to contact the Mr. Wehler requesting additional information in connection with his audit as discussed. The motion carried unanimously.

NEW BUSINESS

Review of Continuing Education Approval Applications – None

Review of Application for Reciprocity

Jonathan Barker

Anita Buggins

Paul Martino

Kevin McCarty

Mr. Reinhold reviewed the reciprocity applications for Jonathan Barker, Anita Buggins, Paul Martino, and Kevin McCarty. Mr. Reinhold made a motion, seconded by Mr. Rambo to approve the reciprocity applications of Jonathan Barker, Anita Buggins, Paul Martino, and Kevin McCarty. The motion carried unanimously.

Review of Applications for Examination – None

OTHER BUSINESS BEFORE THE BOARD (for discussion only)

Ms. Ennis questioned if there was a way for audits to be encouraged to be sent in correctly the first time. Mr. Maloney stated that the Board's Rules and Regulations required a licensee to complete a CE log. The Board could dictate on the CE log more instructions. Mr. Schenck stated that the Board could revamp their CE section of their Rules and Regulations when their pending legislation for inactive status passed. Ms. McAtee questioned who the Board wanted to include on the automatic audit list for the next audit and the Board agreed to include those who were sent to the hearing officer.

WALL CERTIFICATES

There were no wall certificates to sign at this meeting.

PUBLIC COMMENT

There was no public comment at this meeting.

NEXT SCHEDULED MEETING

The next meeting is scheduled for June 14, 2013 at 10:00 a.m. in Conference Room B, second floor of the Cannon Building, 861 Silver Lake Boulevard, Dover, Delaware.

ADJOURNMENT

There being no further business, Mr. Aiken made a motion, seconded by Ms. Ennis to adjourn the meeting at 11:20 a.m. The motion carried unanimously.

Respectfully submitted,



Amanda McAtee – DE Board of Geologists
Administrative Specialist II

The notes of this meeting are not intended to be a verbatim record of the topics that were presented or discussed. They are for the use of the Board members and the public in supplementing their personal notes and recall for presentations.